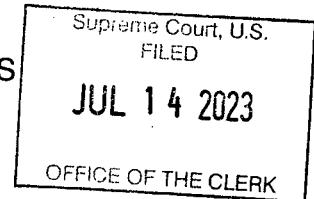


No. 23-5578

IN THE  
SUPREME COURT OF THE UNITED STATES



April Paw — PETITIONER  
(Your Name)

vs.  
United States of America — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

United States Court of Appeals for the 8<sup>th</sup> Circuit.  
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

April Paw # 16483-509  
(Your Name)

P.O. Box 4000  
(Address)

Aliceville, AL 35442  
(City, State, Zip Code)

N/A  
(Phone Number)

## **LIST OF PARTIES**

All parties appear in the caption of the case on the cover page.

All parties **do not** appear in the caption of the case on the cover page. A list of all parties to the proceeding in the court whose judgment is the subject of this petition is as follows:

## **RELATED CASES**

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② Strickland v. Washington  
(1984) 464 US. 668

③ Roderick Leon Scott v. United States of America  
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STATUTES AND RULES

OTHER

IN THE  
SUPREME COURT OF THE UNITED STATES  
PETITION FOR WRIT OF CERTIORARI

Petitioner respectfully prays that a writ of certiorari issue to review the judgment below.

**OPINIONS BELOW**

For cases from **federal courts**:

The opinion of the United States court of appeals appears at Appendix A to the petition and is

reported at \_\_\_\_\_; or,  
 has been designated for publication but is not yet reported; or,  
 is unpublished.

The opinion of the United States district court appears at Appendix \_\_\_\_\_ to the petition and is

reported at \_\_\_\_\_; or,  
 has been designated for publication but is not yet reported; or,  
 is unpublished.

For cases from **state courts**:

The opinion of the highest state court to review the merits appears at Appendix \_\_\_\_\_ to the petition and is

reported at \_\_\_\_\_; or,  
 has been designated for publication but is not yet reported; or,  
 is unpublished.

The opinion of the \_\_\_\_\_ court appears at Appendix \_\_\_\_\_ to the petition and is

reported at \_\_\_\_\_; or,  
 has been designated for publication but is not yet reported; or,  
 is unpublished.

## JURISDICTION

For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was June 13 2023.

No petition for rehearing was timely filed in my case.

A timely petition for rehearing was denied by the United States Court of Appeals on the following date: \_\_\_\_\_, and a copy of the order denying rehearing appears at Appendix \_\_\_\_\_.

An extension of time to file the petition for a writ of certiorari was granted to and including 6/26/23 (date) on 6/26/23 (date) in Application No. A \_\_\_\_\_.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1254(1).

For cases from **state courts**:

The date on which the highest state court decided my case was \_\_\_\_\_. A copy of that decision appears at Appendix \_\_\_\_\_.

A timely petition for rehearing was thereafter denied on the following date: \_\_\_\_\_, and a copy of the order denying rehearing appears at Appendix \_\_\_\_\_.

An extension of time to file the petition for a writ of certiorari was granted to and including \_\_\_\_\_ (date) on \_\_\_\_\_ (date) in Application No. A \_\_\_\_\_.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1257(a).

## STATEMENT OF THE CASE

The facts of the case in Question pertaining to the Questions I presented are this: ① The Court provided no proof other than supposed hear-say that I am guilty of trying to sell drugs or recruit people to continue selling drugs durring my incarceration in the County Jail. ② I had very ineffective counsel: durring my plea and sentencing provided by Matthew Powers he did not defend me properly by explaining anything to me such as the upward departure/variance to my criminal history, nor did he explain my mandatory minimum of 120 months. He also failed to explain what it meant to cooperate or accept responsibility. If he would have, I would have had him object and fight these things as they were not correct. These are the reasons I'm asking you to revisit my case.

#### REASONS FOR GRANTING THE PETITION

The reason this Court should grant my petition is that I was unfairly sentenced above the time. I should have received for my charge. The reasons the Court used to do this were not proven. The next reason the Court ~~used to~~ should grant my petition, is because I was unfairly represented by my attorney at my original sentencing. He never explained what anything meant or gave the wise counsel as to what I should do to help myself. Nor did he speak up on my behalf when I was being accused of the things that caused the Court to add points to my criminal history. My attorney basically left me to the wolves, I had no idea what was happening at any Court dates or my sentencing. I absolutely did not try to recruit my cell mates in the County jail to sell drugs. This was the Courts reason for the extra time added to my mandatory min of 120 months. I have never been a boss of any drug ring. I wasnt given a chance to cooperate with law enforcement. Once someone (not my attorney) explained to me that if I cooperated it would help me. I did not at any point have effective counsel during the original hearing, sentencing, or at my appeal. I can not read, write and (barely) comprehend the english language. Therefore all my correspondence has to be explained, interpreted and written for me. I do not believe I was fairly represented and absolutely oversentenced and unjustly accused of things I was/ am not guilty of because of this. I believe results would have been a lot different had my counsel been different. I do not believe I was represented to the highest regard of my rights and I would like for you to subpoena my County jail phone calls and listen to them yourselves.

## **CONCLUSION**

The petition for a writ of certiorari should be granted.

Respectfully submitted,

April Paw

Date: 6/30/23

United States Court of Appeals  
For the Eighth Circuit

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No. 22-2136

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United States of America

*Plaintiff - Appellee*

v.

April Paw

*Defendant - Appellant*

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Appeal from United States District Court  
for the District of South Dakota – Northern

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Submitted: March 16, 2023

Filed: June 13, 2023

[Unpublished]

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Before COLLTON, MELLOY, and GRUENDER, Circuit Judges.

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PER CURIAM.

April Paw pled guilty to conspiracy to distribute a controlled substance (methamphetamine) in violation of 21 U.S.C. §§ 841(a)(1) and 846. The presentence investigation report (PSR) recommended a guideline range of 87 to 108 months. However, a 10-year statutory minimum moved the guideline “range” to